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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 ALICIA GARCIA, an individual,) CASE NO.: 2:22-cv-00694-JCM-DJA
13)
14 Plaintiff,)
15)
16 vs.)
17 SMITH'S FOOD & DRUG CENTERS, INC.) **STIPULATION AND ORDER TO**
18 d/b/a SMITH'S FOOD AND DRUG, a) **CONTINUE HEARING ON PLAINTIFF'S**
19 foreign corporation; DOES I through X; and) **MOTION FOR SANCTIONS (ECF NO. 16)**
20 ROE ENTITIES I through X,) **(SECOND REQUEST)**
21)
22 Defendants.)
23)
24)
25)

26 Plaintiff Alicia Garcia, by and through her counsel of record, David A. Tanner, Esq., of
27 The Tanner Law Firm, and Defendant Smith's Food & Drug Centers, Inc., by and through its
28 counsel of record Andre T. Marques, Esq., of Cooper Levenson, P.A., stipulate and agree, that:

29 Plaintiff's counsel has a conflict preventing attendance at the currently scheduled
30 hearing.

1 Accordingly, the parties respectfully request the hearing on Plaintiff's Motion for
2 Sanctions (ECF No. 16), currently scheduled for May 23, 2023, at 1:30 p.m., be continued to a
3 date convenient with the Court, the week of June 5, 2023.

4

5 **TANNER LAW FIRM**

6

7 */s/ David A. Tanner*

8

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17 **COOPER LEVENSON, P.A.**

18 */s/ Andre T. Marques*

19

20 JERRY S. BUSBY, ESQ.
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22 ANDRE T. MARQUES, ESQ.
23 Nevada Bar No. 14737
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25 Las Vegas, NV 89102
26 *Attorneys for Defendant*
27 *Smith's Food & Drug Centers, Inc.*

28

15 **ORDER**

16 IT IS SO ORDERED that the hearing on Plaintiff's Motion for Sanctions (ECF No. 16),
17 currently scheduled for hearing on May 23, 2023, is **VACATED** and **RESET** for **Monday,**
18 **June 5, 2023 at 1:30 p.m. in Courtroom 3A.**

19 DATED: 5/5/2023

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DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

Courtney McMenamy

From: Andre Marques <AMARQUES@cooperlevenson.com>
Sent: Thursday, May 4, 2023 2:10 PM
To: Courtney McMenamy
Cc: Rutkowski Theresa H.; Busby Jerry S.; Smith Christiane H
Subject: Re: ALICIA GARCIA V. SMITH'S - STIPULATION TO CONTINUE HEARING
Attachments: image002.png; image004.png

Looks good. Please affix my e-signature and submit. Thanks courtney.

Andre

Sent from my iPhone

On May 3, 2023, at 10:43 PM, Courtney McMenamy <Courtney@tannerlawfirm.com> wrote:

*** External Sender - Please Exercise Caution***

Good afternoon,

Here is the Stipulation to continue the May 23rd hearing for your review.

Thank you!

Courtney McMenamy
Paralegal to David A. Tanner
<image002.png>
Address: 7895 West Sunset Road, Ste. 115, Las Vegas, NV 89113
Phone: 702-987-8888
Fax: 702-410-8070

From: Andre Marques <AMARQUES@cooperlevenson.com>
Sent: Monday, May 1, 2023 2:29 PM
To: Courtney McMenamy <Courtney@tannerlawfirm.com>
Cc: Rutkowski Theresa H. <TRUTKOWSKI@cooperlevenson.com>; Busby Jerry S. <JBUSBY@cooperlevenson.com>; Smith Christiane H <CHSMITH@cooperlevenson.com>
Subject: RE: ALICIA GARCIA V. SMITH'S - STIPULATION TO CONTINUE HEARING

Hi Courtney,

I have no problems continuing the hearing. Can your office prepare the SAO? I'm actually travelling on vacation and will be out of the country until May 15th, hence the original request to continue the hearing. If you get it to me today, I should be able to take a look. Looking at my calendar, the hearing will likely need to be the week of June 5th.

Thanks

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<image004.png>

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From: Courtney McMenamy <Courtney@tannerlawfirm.com<<mailto:Courtney@tannerlawfirm.com>>>
Sent: Monday, May 1, 2023 11:38 AM
To: Andre Marques <AMARQUES@cooperlevenson.com<<mailto:AMARQUES@cooperlevenson.com>>>
Cc: Rutkowski Theresa H. <TRUTKOWSKI@cooperlevenson.com<<mailto:TRUTKOWSKI@cooperlevenson.com>>>
Subject: RE: ALICIA GARCIA V. SMITH'S - STIPULATION TO CONTINUE HEARING

Good afternoon Mr. Marques,

We apologize for the trouble, but we need to move the Hearing in the Garcia case that is currently set for May 23rd. David has calendar conflicts that he cannot reschedule. Would your office mind filing a new Stip?

Thank you.

Courtney McMenamy
Paralegal to David A. Tanner
<image002.png>
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